

DOWD, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

Christopher Jones,)	
)	CASE NO. 1:13 CV 1703
Plaintiff,)	
)	
v.)	<u>MEMORANDUM OPINION AND</u>
)	<u>ORDER</u>
Quail Hollow Management, Inc., et al.,)	
)	
Defendants.)	
)	

The Court referred this case, alleging failure to pay overtime and maintain adequate records, to Magistrate Judge George Limbert for general pre-trial supervision on August 9, 2013. Subsequently, plaintiff moved for partial dismissal without prejudice of defendant Clubcorp (ECF 5), and, plaintiff and remaining defendants, Quail Hollow Management, Inc. d/b/a Quail Hollow Country Club, jointly moved for approval of the parties' settlement agreement (attached to their motion) and for the settlement agreement to be to be sealed (ECF 10). Counsel for both plaintiff and defendants filed affidavits in support of the reasonableness of the settlement agreement. ECF 13 and 14.

After review of the parties' motions and affidavit in support, Magistrate Judge Limbert published a Report and Recommendation recommending that: 1) plaintiff's motion/notice of dismissal without prejudice of defendant Clubcorp be approved; 2) that the Court find the proposed settlement and attorney fees to be reasonable; and 3) that the parties' joint motion to approve the settlement agreement under seal be granted. ECF 15.

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Under the relevant statute:

[T] magistrate judge shall file his proposed findings and recommendations under subparagraph (B) with the court and a copy shall forthwith be mailed to all parties.

Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

28 U.S.C. § 636(b)(1)(C).

No objections have been filed to Magistrate Judge Limbert's Report and Recommendation. The failure to file written objections to a Magistrate Judge's report and recommendation constitutes a waiver of a *de novo* determination by the district court of an issue covered in the report. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985); *see United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

The Court has reviewed the Magistrate Judge's Report and Recommendation and adopts the same. Accordingly, plaintiff's motion/notice of dismissal of defendant Clubcorp without prejudice (ECF 5) is hereby GRANTED.

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Further, the Court finds the proposed settlement and attorney fees to be reasonable and the parties' joint motion for approval of the settlement agreement under seal (ECF 10) is GRANTED. The Clerk is requested to SEAL the document filed as ECF 10 and all attachments thereto.

This case is CLOSED.

IT IS SO ORDERED.

January 6, 2014
Date

s/ David D. Dowd, Jr.
David D. Dowd, Jr.
U.S. District Judge